

Guidance for Tenants

How can someone verify whether a nontransient apartment is licensed with DBPR's Division of Hotels & Restaurants?

Interested parties may use DBPR's "Verify a License" link at myfloridalicense.com to search the Department's database of active licenses.

How often are nontransient apartments inspected by DBPR?

The Division of Hotels and Restaurants conducts inspections of nontransient apartments at least once annually, as measured by fiscal year. The division may also inspect upon receipt of a complaint that is within the division's jurisdiction; as necessary for enforcement of the provisions of Florida law and rule; and when otherwise necessary for the protection of the public's health, safety and welfare.

What type of complaint issues does the Division of Hotels and Restaurants have authority over in nontransient apartments?

The Division of Hotels and Restaurants enforcement authority is generally focused on issues that are present in tenant common areas, or issues affecting the complex as a whole. Tenant housekeeping responsibilities and maintenance duties are typically addressed in the landlord-tenant lease agreement; or Chapter 83, Part II, Florida Statutes.

During nontransient apartment inspections, the division focuses its attention on ensuring that common areas are free from sanitary nuisances or unsafe conditions and that building exteriors are in good condition and are free from readily-observable disrepair.

Does the division have authority over security deposits, apartment maintenance, pest control, or terms of the lease?

Specific landlord and tenant responsibilities, including security deposits and apartment maintenance, are listed in the landlord-tenant lease agreement and such agreements are governed by Florida law (see Chapter 83, Part II, Florida Statutes). Pest control responsibilities may also be listed in the landlord-tenant lease agreement.

Only a civil court can resolve most landlord-tenant disputes. You may want to review your lease and the law. You may also want to talk to a lawyer to determine your rights and options. The Florida Bar offers a lawyer referral service that can connect you with attorneys in your area. You can contact them at 800.342.8011 or through their website at www.flabar.org. The Division of Hotels & Restaurants cannot represent you or provide legal advice.

The division may be able to discipline a landlord's nontransient apartment license after a civil court declares a landlord violated the security deposit laws located in section 83.49, Florida Statutes. . If you have already been to civil court and that court determined that your landlord violated section 83.49, Florida Statutes, please send the division a copy of the court ruling:

Department of Business and Professional Regulation
Division of Hotels and Restaurants
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Tallahassee, FL 32399-1011

Phone: (850) 487-1395

Fax: (850) 921-8267

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Can the division inspect my apartment for vermin?

The division can inspect an apartment building's exterior for obvious, readily-observable disrepair that may act as an entry point for vermin. The division is able to help ensure that each apartment building exterior is adequately "rodent-proofed". The division does not typically inspect the interior of tenant-occupied apartments for vermin but instead focuses the inspection on ensuring that each apartment building does not exhibit readily-observable points of entry for vermin.

Can the division inspect my apartment for mold?

Surface mold and mildew are prevalent in Florida and some environments may require routine cleaning to reduce the visible accumulation of mold or mildew. The interior maintenance of an apartment to reduce the visible accumulation of surface mold or mildew is generally considered to be a tenant responsibility. Any alternative assignment of responsibility may be established in the landlord-tenant lease agreement. The division is able to inspect an apartment building's exterior for any obvious, readily-observable disrepair that could be a causal factor for indoor mold growth. The division does not offer air quality testing and cannot review the results of an air quality test.

How can I prevent mold?

Because too much humidity can result in mold growth, it is important to effectively control moisture. Moisture can enter a structure through any opening - either as liquid or in air. To control moisture problems, it's important to find and eliminate the sources of the excess moisture and clean and dry wet or damp spots immediately.

Common moisture sources include air leaks around windows, doors, air conditioning (AC) units and electrical outlets. If you suspect you have a mold infestation, you may choose to consult your lease or consider hiring a mold specialist. If you believe your apartment building's exterior has obvious, readily-observable disrepair that could be a causal factor for indoor mold growth, please file a complaint with the division and an inspector will visit the property to look at the specific concerns in order to determine whether an obvious defect is present that needs repair.

Where can I get more information on mold?

Many government agencies provide information on mold, mold prevention, and mold cleanup. The Florida Department of Health provides information on mold at <http://www.floridahealth.gov/environmental-health/mold/index.html>. The Centers for Disease Control and Prevention (CDC), and the Environmental Protection Association (EPA) both provide information on mold and mold cleanup on the [CDC website](#) and the [EPA website](#).

I need to report a safety concern or sanitation issue at an apartment building or complex. Who should I contact?

Issues should first be reported to property management. If the issue is not subsequently resolved in a reasonable manner, please let the Division of Hotels & Restaurants know so it can review the circumstances. It is helpful to let the division know how long the issue has persisted, and on what date(s) property management was notified about the issue. DBPR's Division of Hotels & Restaurants intakes consumer complaints through DBPR's website, myfloridalicense.com, or by mail, phone, facsimile, or in-person. Please refer to the contact information provided in this bulletin.

Complaints arising from violations of the Florida Building Code or Florida Fire Prevention Code may be addressed by contacting the appropriate local government office.

Complaints arising against apartments that are already being inspected by the US Department of Housing and Urban Development (HUD) may be investigated by DBPR when the apartment is also licensed by the Division of Hotels & Restaurants.